shall notify the port director that the merchandise has been assembled and is ready for examination, whereupon final examination shall be made.

### § 151.9 Immediate transportation entry delivered outside port limits.

When merchandise covered by an immediate transportation entry has been authorized by the port director to be delivered to a place outside a port of entry as provided for in § 18.11(c) of this chapter, the provisions of § 151.7 shall be complied with to the same extent as if the merchandise had been delivered to the port of entry, and then authorized to be examined elsewhere than at the public stores, wharf, or other place under the control of Customs.

### § 151.10 Sampling.

When necessary, the port director may obtain samples of merchandise for appraisement, classification, or other official purposes. Samples shall be taken by Customs or a commercial gauger approved in accordance with § 151.13. Samples shall be marked to ensure identification and retained according to established policies.

[T.D. 87–39, 52 FR 9787, Mar. 26, 1987]

### § 151.11 Request for samples or additional examination packages after release of merchandise.

If the port director requires samples or additional examination packages of merchandise which has been released from CBP custody, he shall send the importer a written request, on Customs Form 28, Request for Information, or other appropriate form, to submit the necessary samples or packages. If the request is not promptly complied with, the port director may make a demand under the bond for the return of the necessary merchandise to CBP custody in accordance with § 141.113 of this chapter. For purposes of determining admissibility, representatives of the Food and Drug Administration may obtain samples of any food, drug, device, or cosmetic, the importation of which is governed by section 801 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 381).

[T.D. 73–175, 38 FR 17470, July 2, 1973, as amended by T.D. 75–152, 40 FR 27444, June 30, 1975; T.D. 84–213, 49 FR 41186, Oct. 19, 1984; CBP Dec. 07–02, 72 FR 4430, Jan. 31, 2007]

### § 151.12 Accreditation of commercial laboratories.

This section sets forth the requirements for commercial laboratories to obtain accreditation by CBP for the testing of certain commodities, and explains the operation of such accredited laboratories. This section also provides for the imposition of accreditation and reaccreditation fees, sets forth grounds for the suspension and revocation of accreditation, and provides for the imposition of a monetary penalty for an accredited commercial laboratory that fails to adhere to the provisions of this section.

(a) *Definitions.* For purposes of this section, the following words and phrases have the meanings indicated:

*Analysis record.* An ''analysis record'' is a compilation of all documents which have been generated during the course of analysis of a particular sample which, under normal circumstances, may include, both in paper and electronic-form, such documents as work sheets, notes, associated spectra (both spectra of the actual product and any standard spectra used for comparison), photographs and microphotographs, and the laboratory report.

*Assistant Commissioner.* In §§ 151.12 and 151.13, references to the ''Assistant Commissioner'' mean the Assistant Commissioner, Office of Information and Technology, or his designee, located in Washington, D.C.

*Check samples.* ''Check samples'' are samples which have been distributed by CBP to accredited laboratories to test their proficiency in a certain area of accreditation.

*Commodity Group Brochure.* A ''Commodity Group Brochure'' is a booklet which contains a listing of laboratory methods which commercial laboratories are required to have the capability to perform to qualify for CBP-accreditation in a particular commodity group. The brochures and the Customs and Border Protection Laboratory